



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

DOREEN N. MCPAUL  
Attorney General

KIMBERLY A. DUTCHER  
Deputy Attorney General

**DEPARTMENT OF JUSTICE**  
**INITIAL ELIGIBILITY DETERMINATION**  
**FOR NAVAJO NATION FISCAL RECOVERY FUNDS**

RFS/HK Review #: HK0319

Date & Time Received: 12/17/22 11:17

Date & Time of Response: 12/28/22 14:45

Entity Requesting FRF: Thoreau Chapter

Title of Project: Fire Wood Stoves - Pellet Stoves

Administrative Oversight: Div Comm Dev

Amount of Funding Requested: \$100,000.00

**Eligibility Determination:**

- FRF eligible
- FRF ineligible
- Additional information requested

**FRF Eligibility Category:**

- (1) Public Health and Economic Impact
- (2) Premium Pay
- (3) Government Services/Lost Revenue
- (4) Water, Sewer, Broadband Infrastructure

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**U.S. Department of Treasury Reporting Expenditure Category:** Section 2.18 Housing Support:  
Other Housing Assistance

**Returned for the following reasons (Ineligibility Reasons / Paragraphs 5. E. (1) - (10) of FRF Procedures):**

- |   |   |
|---|---|
| <input type="checkbox"/> Missing Form   | <input type="checkbox"/> Expenditure Plan incomplete                        |
| <input type="checkbox"/> Supporting documentation missing   | <input type="checkbox"/> Funds will not be obligated by<br>12/31/2024       |
| <input type="checkbox"/> Project will not be completed by 12/31/2026  | <input type="checkbox"/> Incorrect Signatory                                |
| <input type="checkbox"/> Ineligible purpose   | <input type="checkbox"/> Inconsistent with applicable NN or<br>federal laws |
| <input type="checkbox"/> Submitter failed to timely submit CARES reports                                    |   |
| <input type="checkbox"/> Additional information submitted is<br>insufficient to make a proper determination |   |

Name of DOJ Reviewer: Rodgerick Begay

Signature of DOJ Reviewer: *Rodgerick Begay*

Disclaimers: An NNDOJ Initial Eligibility Determination will be based on the documents provided, which NNDOJ will assume are true, correct, and complete. Should the Project or Program change in any material way after the initial determination, the requestor must seek the advice of NNDOJ. An initial determination is limited to review of the Project or Program as it relates to whether the Project or Program is a legally allowable use – it does not serve as an opinion as to whether or not the Project or Program should be funded, nor does it serve as an opinion as to whether or not the amount requested is reasonable or accurate.

THE NAVAJO NATION  
FISCAL RECOVERY FUNDS **REQUEST FORM & EXPENDITURE PLAN**  
FOR NON-GOVERNANCE CERTIFIED CHAPTERS

**Part 1. Identification of parties.**

Non-Governance Certified Chapter requesting FRF: Thoreau Chapter Date prepared: 11/29/2022

Chapter's mailing address: PO Box 899 Thoreau, NM 87323 phone/email: 505.905.0139 website (if any): \_\_\_\_\_

This Form prepared by: Vivinita Bennett phone/email: 505.905.0139  
Vivinita Bennett, Community Services Coordinator niabb2@nnchapters.org  
CONTACT PERSON'S name and title CONTACT PERSON'S info

Title and type of Project: Fire Wood Stoves - Pellet Stoves

Chapter President: Valerie Arviso phone & email: valeriearviso@gmail.com

Chapter Vice-President: Herman Yellowhorse phone & email: 505.905.0221

Chapter Secretary: Judy Platero phone & email: jkplatero@gmail.com

Chapter Treasurer: Judy Platero phone & email: jkplatero@gmail.com

Chapter Manager or CSC: Vivinita Bennett phone & email: niabb2@nnchapters.org

DCD/Chapter ASO: Guarena Adeky phone & email: gadeky@nndcd.org

List types of Subcontractors or Subrecipients that will be paid with FRF (if known): Firewood Stove and Pellet Stove Vendors

\_\_\_\_\_  document attached

Amount of FRF requested: 100,000 FRF funding period: January 1, 2023 - September 30, 2026  
indicate Project starting and ending/deadline date

**Part 2. Expenditure Plan details.**

(a) Describe the Program(s) and/or Project(s) to be funded, including how the funds will be used, for what purposes, the location(s) to be served, and what COVID-related needs will be addressed:

Purchase of Wood Stoves and Wood Pellet Stoves for our Navajo Community members who are dependent on these stoves for heating and cooking. COVID-19 pandemic economic impacts has made it difficult for Tribal Members to stay warm and cook safely. Substandard stoves can cause fires and create a carbon monoxide leak. Also, with the resonating respiratory problems with community members that survived COVID -19, there is a need for stoves. Pellet stoves is an alternative source of heating for for people with asthma, allergies, and respiratory issues.

document attached

(b) Explain how the Program or Project will benefit the Navajo Nation, Navajo communities, or the Navajo People:

This project seeks to replace substandard wood stoves and pellet stove in our community by helping those in need to obtain a decent and safe stove for their homes.

document attached

(c) Provide a prospective timeline showing the estimated date of completion of the Project and/or each phase of the Project. Disclose any challenges that may prevent you from incurring costs for all funding by December 31, 2024 and/or fully expending funds and completing the

**APPENDIX A**

Program(s) or Project(s) by December 31, 2026:

Projects will be completed by September 2026. With funds anticipated to be disbursed in January 2023. We will be tiering projects into small, manageable sections to ensure completions within the time frame. Progress will be reported to our Chapter ASO and Council Delegate on a quarterly basis or when is is requested.

document attached

(d) Identify who will be responsible for implementing the Program or Project:

Guarena Adeky, Navajo Division of Community Development ASO-ASC, Vivinita Bennett, Chapter CSC, Valerie Arviso, Chapter President, Herman Yellowhorse, Vice President, Judy Platero, Secretary Treasurer

document attached

(e) Explain who will be responsible for operations and maintenance costs for the Project once completed, and how such costs will be funded prospectively:

Respectively the home owner and its occupants would be responsible for the operations and maintenance.

document attached

(f) State which of the 66 Fiscal Recovery Fund expenditure categories in the attached U.S. Department of the Treasury Appendix 1 listing the proposed Program or Project falls under, and explain the reason why:

3.12 Housing Support: Other Housing Assistance : To support our Navajo community in obtaining a decent and safe stove for heating and cooking.

document attached

**Part 3. Additional documents.**

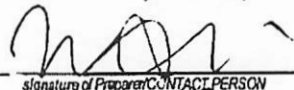
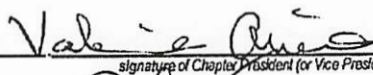
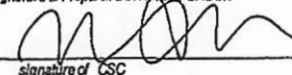


List here all additional supporting documents attached to this FRF Expenditure Plan (or indicate N/A):

Supporting Chapter Resolution

Chapter Resolution attached

**Part 4. Affirmation by Funding Recipient.**

Funding Recipient affirms that its receipt of Fiscal Recovery Funds and the implementation of this FRF Expenditure Plan shall be in accordance with Resolution No. CJY-41-21, the ARPA, ARPA Regulations, and with all applicable federal and Navajo Nation laws, regulations, and policies:

Chapter's Preparer:  signature of Preparer CONTACT PERSON  
Approved by:  signature of Chapter President (or Vice President)  
Approved by:  signature of CSC  
Approved by:  signature of Chapter ASO  
Approved to submit for Review:  signature of DCO Director





THE NAVAJO NATION  
PROGRAM PERFORMANCE CRITERIA

PART I. PROGRAM INFORMATION:

Business Unit No.:          New Program Name/Title: Thoreau Chapter Fire Wood/Pellet Stove

PART II. PLAN OF OPERATION/RESOLUTION NUMBER/PURPOSE OF PROGRAM:

PART III. PROGRAM PERFORMANCE CRITERIA:

	1st QTR		2nd QTR		3rd QTR		4th QTR	
	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual
1. Goal Statement: <u>Eliminate substandard Firewood/Pellet Stoves for a safe heating &amp; cooking source.</u>								
Program Performance Measure/Objective: <u>Procure Pellet/Wood Stoves for the Community members with great need</u>			10		12		20	
2. Goal Statement: <u>        </u>								
Program Performance Measure/Objective: <u>        </u>								
3. Goal Statement: <u>        </u>								
Program Performance Measure/Objective: <u>        </u>								
4. Goal Statement: <u>        </u>								
Program Performance Measure/Objective: <u>        </u>								
5. Goal Statement: <u>        </u>								
Program Performance Measure/Objective: <u>        </u>								

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

<p>Sonlatsa Jim-Martin _____ Program Manager's Printed Name</p> <p><i>Sonlatsa Jim</i> 12/06/2022 _____ Program Manager's Signature and Date</p>	<p>Pearl Yellowman _____ Division Director/Branch Chief's Printed Name</p> <p><i>Pearl Yellowman</i> 12-6-22 _____ Division Director/Branch Chief's Signature and Date</p>
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FY 2023

**THE NAVAJO NATION  
DETAILED BUDGET AND JUSTIFICATION**

Page 3 of 3  
BUDGET FORM 4

<b>PART I. PROGRAM INFORMATION:</b>			
Program Name/Title: <u>Thoreau Chapter Fire Wood/Pellet Stove</u>		Business Unit No.: <u>New</u>	
<b>PART II. DETAILED BUDGET:</b>			
(A)	(B)	(C)	(D)
<b>Object Code (LOD 6)</b>	<b>Object Code Description and Justification (LOD 7)</b>	<b>Total by DETAILED Object Code (LOD 6)</b>	<b>Total by MAJOR Object Code (LOD 4)</b>
4 7	ASSISTANCE Other Public Assistance Purchase Pellet and Wood Stoves to replace substandard stoves in Community homes. To reduce their energy bills and reduce health problems and/or illnesses.	100,000	
<b>TOTAL</b>		100,000	-



President of the Navajo Nation  
Jonathan Nez

THE NAVAJO NATION  
**THOREAU CHAPTER**  
P.O. Box 899 Thoreau, New Mexico 87323  
Office (505) 905-0189 Fax (505) 905-0140  
[thoreau@navajochapters.org](mailto:thoreau@navajochapters.org)



Vice President of the Navajo Nation  
Myron Lizer

Valeria Arviso . PRESIDENT • Herman Yellowhorse . VICE PRESIDENT • Judy K. Platera . SECRETARY / TREASURER  
Vivinita Bennett . COMMUNITY SERVICE COORDINATOR • Olivia Anderson . ACCOUNTS MAINTENANCE SPECIALIST • Kevin Long . LAIBORDARD • Edmund Yezzie . COUNCIL DELEGATE

**THOREAU CHAPTER  
RESOLUTION TCH-074-23-011**

**Approving the request to utilize the Delegate Regional Expenditure Plan Funds for American Rescue Plan Act (ARPA) Project – Purchase Wood Stoves and Pellet Stoves for community membership in the amount of \$100,000.00**

**WHERE AS:**

- 1) Thoreau Chapter is a certified Navajo Nation Chapter Government pursuant to the Navajo Nation Resolution CJ- 20-55, it is a delegated governmental authority with respect to local matters consistent with Navajo Nation Law including customs, traditions and fiscal matters, and
- 2) Pursuant to 2 N.N.C 4028, the community members of Thoreau Chapter in a duly called meeting shall have the authority to make appropriate recommendations to the Navajo Nation; and
- 3) Thoreau Chapter is empowered by the Navajo Nation Council to review all matters affecting the community and to make favorable decisions in the best interest of the community membership; and
- 4) Thoreau Chapter membership is desirous of enhancing the living standards and providing healthy environment for residents living in the community of Thoreau Chapter, Navajo Nation, McKinley County, New Mexico; and
- 5) Thoreau Chapter is submitting an Expenditure Plan in the amount of \$100,000.00 to purchase wood stoves and pellet stoves to provide source of heat for community membership.

**NOW THEREFORE BE IT RESOLVED THAT:**

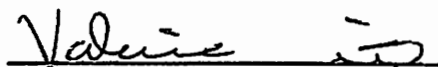
- 1) Thoreau Chapter membership hereby approves the request to utilize the Delegate Regional Expenditure Plan Funds for American Rescue Plan Act (ARPA) Project – Purchase Wood Stoves and Pellet Stoves for community membership in the amount of \$100,000.00.




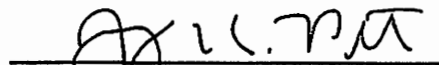
- 2) Thoreau Chapter Administration and Officials are hereby authorized to execute any and all actions to carry out the purpose and intent of this foregoing resolution.

**CERTIFICATION**

It is hereby certified that the foregoing Resolution was duly considered by and moved for adoption by Lisa Williams seconded by Gloria Becenti and thoroughly discussed and adopted by a vote of 16 in favor, 0 opposed and 2 abstained at a duly called meeting at Thoreau Chapter on December 4, 2022.

  
Valerie Arviso, President

  
Herman Yellowhorse, Vice President

  
Judy K. Platero, Secretary/Treasurer